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JUN 3 0 2006 by

Docket No. 4439-4043

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):

Yoshinori Watanabe

Group Art Unit:

TBA

Serial No .:

10/581,158

Examiner:

**TBA** 

Filed:

May 31,2006

For:

NOVEL CENTROMERIC PROTEIN SHUGOSHIN

**EXPRESS MAIL CERTIFICATE** 

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Express Mail Label No.: EV 825704311 US

Date of Deposit: June 29, 2006

I hereby certify that the following attached paper(s) and/or fee

- 1. Information Disclosure Statement (3 pages + duplicate)
- 2. Form 1449B (1 page)
- 3. Copies of 5 references (50 pages)
- 3. Return postcard

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Michael Willis

(Typed or printed name of person mailing papers(s) and/or fee)

(Signature of person mailing paper(s) and/or fee)

Correspondence Address:

MORGAN & FINNEGAN, L.L.P. 3 World Financial Center New York, NY 10281-2101 (212) 415-8700 Telephone (212) 415-8701 Facsimile



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### INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

1.		For each of the following items listed on the enclosed copy of Form PTO-144 is not in the English language, an English language translation of that item or portion thereof or a concise explanation of the relevance of that item is enclosed.	
			nglish language translation of Kitajima, T.S. et al., Experimental Medicine n Igaku), Vol. 22, No. 7, pages 959-961, May 2004 is attached to the nce.
2.		is not	ich of the following items listed on the enclosed copy of Form PTO-1449 that in the English language, a concise explanation of the relevance of that item is porated in the specification of the above-identified application.
3.		Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in application Serial No, filed	
ł.	$\boxtimes$		e is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement it is being filed in compliance with:
		$\boxtimes$	37 C.F.R. §1.97(b)(1), within three months of the filing date of a national application other than a CPA; or
			37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application; or

		Docket No. <u>4439-4043</u> Serial No. 10/581,158
		37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits; or
		37 C.F.R. §1.97(b)(4) before the mailing date of a first office action after the filing of an RCE under §1.114.
5.	since is specif Notice accom	te is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement it is being filed in compliance with 37 C.F.R. §1.97(c), after the period it is paragraph 4 above but before the mailing date of a final action or a e of Allowance (where there has been no prior final action), and is apanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in raph 9 below.
6.	since i	is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement it is being filed in compliance with 37 C.F.R. §1.97(c), after the period ied in paragraph 4 above but before the mailing date of a final action or a of allowance (where there has been no prior final action):
		A check in the amount of \$180.00 is enclosed in payment of the fee.
		Charge the fee to Deposit Account No. <u>13-4500</u> , Order No A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
7.	since i	is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date nal action or a notice of allowance, whichever comes first, but before ent of the issue fee, and is accompanied by:
		ne of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 elow; and
		e fee due under 37 C.F.R. §1.17(p) which is paid as set forth in paragraph 11 elow.
8.	This In	nformation Disclosure Statement is being filed in compliance with:
	a. 🗌	37 C.F.R. §1.313(b)(3) or §1.313(c)(1), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h);
	b. 🗌	37 C.F.R. §1.313(c)(2) or §1.313(c)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Request for Continued Examination (RCE) or a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue and fee pursuant to 37 C.F.R. §1.17(h).
	c. 🗌	The fee due under 37 C.F.R. §§1.17(h) is paid as set forth in paragraph 11 below.
9.		by certify that each item of information contained in this Information sure Statement was first cited in a communication from a foreign patent

Docket No. 4439-4043 Serial No. 10/581,158 ee months prior to the

	office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.				
	I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.				
10.	This document is accompanied by \( \square\) a Search Report \( \square\) Communication which was cited in a corresponding \( \square\) PCT or \( \square\) Foreign counterpart application				
11.	A check in the amount of \$ is enclosed in payment of the fees due under 37 C.F.R. §§1.17(h) and 1.17(p).				
	Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. 13-4500, Order No A DUPLICATE COPY OF THIS SHEET IS ATTACHED.				
X	The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. <u>13-4500</u> , Order No. <u>4439-4043</u> . A DUPLICATE COPY OF THIS SHEET IS ATTACHED.				
		Respectfully submitted, MORGAN & FINNEGAN, L.L.P.			
Dated: June 28, 2006 By:		y: Kenneth H. Sonnenfeld / Michael A. Willis Reg. No. 33,285 / Reg. No. 53,913			
Correspondence Address:					
MORGAN & FINNEGAN, L.L.P.					
3 World Financial Center					
	New York, NY 10281-2101				
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Docket No. <u>4439-4043</u> Serial No. 10/581,158

office in a counterpart foreign application not more than three months prior to the
filing of this Information Disclosure Statement.

	I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent offic in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.		
10.	This document is accompanied by  a Search Report Communication which was cited in a corresponding PCT or Foreign counterpart application		
11.	A check in the amount of \$ is enclosed in payment of the fees due under 37 C.F.R. §§1.17(h) and 1.17(p).		
	Charge the fees due under 37 C.F.R. §§1.17(h) and 1.17(p) to Deposit Account No. <u>13-4500</u> , Order No A DUPLICATE COPY OF THIS SHEET IS ATTACHED.		
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Respectfully submitted, MORGAN & FINNEGAN, L.L.P.

Dated: June 28, 2006

By:

Kenneth H. Sonnenfeld / Michael A. Willis Reg. No. 33,285 / Reg. No. 53,913

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#### **FORM PTO-1449B**

# INFORMATION DISCLOSURE CITATION

Attorney Docket:	Serial No.:	
4439-4043	_ 10/581,158	
Applicant:		
Yoshinori WATANABE		
Filing Date:	Group Art Unit	

		May 31, 2000   1BA	
·		NON PATENT LITERATURE DOCUMENTS '	
Examiner Initials*	magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		
		Buonomo, S.B. et al., "Disjunction Of Homologous Chromosomes In Meiosis I Depends	
	on Proteolytic Cleavage Of The Meiotic Cohesin Rec8 By Separin," Cell, Vol. 103, No. 3		
	1. pgs. 387-398, (2000).		
	Kitajima, T.S. et al., "The Conserved Kinetochore Protein Shugoshin Protects Centrome		
	2.	Cohesion During Meiosis," Nature, Vol. 427, pgs. 510-517, Feb. 5, 2004.	
		Kitajima, T.S. et al., "The Conserved Kinetochore Protein Shugoshin Protects Centromeric	
	Cohesion During Meiosis (Horizon sareta Dogentai Tanpakushitsu Shugoshin Wa Wens		
		Bunresu Ni Oite Shimai Dogentaikan No Sechaku O Hogosuru)," Experimental Medicine	
	3.	(Jikken Igaku), Vol. 22, No. 7, pgs. 959-961, (May 2004), with English translation.	
		Kitajima, T.S. et al., "Rec8 Cleavage By Separase Is Required For Meiotic Nuclear	
	4.	Divisions In Fission Yeast," EMBO J., vol. 22, No. 20, pgs. 5643-53 (2003).	
		Wood, V. et al., "The Genome Sequence Of Schizosaccharomyces Pombe," Nature, Vol.	
	5.	415, pgs. 871-880 (February 21, 2002).	
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Examiner	Date	
Signature	Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English tanguage Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete his form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.